



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Bisaria et al**Serial No.: **09/479,712**Filed: **January 7, 2000**For: **INJECTION MOLDABLE CONDUCTIVE AROMATIC THERMOPLASTIC
LIQUID CRYSTALLINE POLYMERIC COMPOSITIONS**Attorney Docket No.: **CL1365USNA**Group Art Unit: **1774**Examiner: **Gray, J.**#6
KW
10-12-01

DECLARATION
of
Mukesh K. Bisaria
Under 37 C.F.R. § 1.131

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

RECEIVED
OCT 09 2001
TC 1700

Sir:

1. I, Mukesh K. Bisaria, hereby declare that I am a citizen of Canada residing at 558 Davis Drive, Kingston, Ontario, Canada K7M 7Y4 and do solemnly and sincerely declare as follows:-
2. I graduated with a Ph.D. in Chemical Engineering from the University of Oklahoma. After my Ph.D., I worked as a Post Doctoral Research Associate for two years at McMaster University (Hamilton, Ontario), and for one year at the University of Saskatchewan (Saskatoon, Saskatchewan). Since then, I have worked for DuPont Canada Inc. for over six years as a Senior Research Scientist.
3. I am one of the named inventors in U.S. Patent Application Serial No. 09/479,712, filed January 7, 2000, (My Patent Application), and as such I am familiar with its contents. In addition, I have read the Examiner's Report mailed March 30, 2001.
4. I understand that the U.S. Patent Examiner has cited U.S. Patent No. 6,180,275 issued January 30, 2001 to Braun et al rejecting claims 9-12, 16-17, 20, 38 and 40 of the aforementioned application as being anticipated by the patent. I understand that Application No. 09/195,307 upon which this patent was granted, was filed on November 18, 1998.

5. I further understand that the claims of this cited patent are directed to a composition for forming an electrically conductive polymer composite for use in an electrochemical cell.

6. I also understand that the Examiner in the Examiner's Report has rejected the above claims of My Patent Application over the Braun et al U.S. Patent 6,180,275 and that to overcome this rejection I need to show that I had conceived the invention of My Patent Application and reduced it to practical form before the filing date of November 18, 1998.

7. Attached to this my declaration, and marked as Exhibit A are a series of pages from my laboratory notebook which I have kept as part of my corporate duties for DuPont Canada Inc. and which describe work completed on October 20, 1998 which I conducted in connection with the research and development associated with the invention described and claimed in My Patent Application.

8. In the lab notebook pages starting at page 130, you will see instructions for processing conditions and plasticating screw geometry which are relevant to the process claimed in my patent application. This page is dated October 7, 1998 (in the header) and signed by me and was pasted in the lab notebook pages on October 20, 1998. It was witnessed by Dr. Shallesh R. Doshi of DuPont Canada Inc. on February 9, 1999. In my opinion, this information clearly demonstrates that as of October 20, 1998, I had conducted experiments relating to the injection molding of a composition comprising liquid crystal polymer (LCP) and various amounts of nickel-coated graphite fiber alone or in combination with powdered graphite (Thermocarb®). I produced plaques using the process and compositions detailed in my Lab Notebook pages and these experiments formed the basis of My Patent Application.

9. On lab notebook page marked 131 of the referenced Exhibit, there is a list of liquid crystal polymer formulations that were processed and these comprise a liquid crystal polymer (LCP) containing 20% and 40% nickel-coated graphite fiber of various lengths along with LCP and combinations of nickel-coated graphite fiber and a substance sold under the trademark THERMOCARB which is a powdered graphite sold by Conoco. On page 137 of this Exhibit, bulk conductivity data are listed and this bears my signature and a date of October 20, 1998. It was witnessed by Dr. Shailesh R. Doshi of DuPont Canada Inc. on February 9, 1999. The conductivity data and statistical analyses for all the samples are listed in lab notebook pages from 155 to 166 of the referenced Exhibit and this bears my signature and a date of November 2, 1998. It was witnessed by Dr. Shailesh R. Doshi of DuPont Canada Inc. on February 9, 1999.

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10. In my opinion, the invention described and claimed in My Patent Application was completed before the earliest date of record of the cited U.S. Patent No. 6,180,275, which is November 18, 1998.

11. All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true, and further I am aware that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such wilful false statements may jeopardise the validity of My Patent Application or any patent issuing thereon.

Date: October 1, 2001


Mukesh K. Bisaria